

UNITED STATES DISTRICT COURT
for the
MIDDLE DISTRICT of PENNSYLVANIA

PENNSYLVANIA PROFESSIONAL LIABILITY JOINT

UNDERWRITING ASSOCIATION,

Plaintiff

v.

TOM WOLF, in his Official Capacity as Governor of the

Commonwealth of Pennsylvania, et al.,

Defendants

Civil Action No. 1:18-CV-1308

(Chief Judge Conner)

JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the plaintiff _____ recover from the
defendant (*name*) _____ the amount of
_____ dollars (\$ _____), which includes prejudgment
interest at the rate of _____ %, plus postjudgment interest at the rate of _____ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) _____
_____ recover costs from the plaintiff (*name*) _____
_____ .

X other: **DECLARATORY JUDGMENT BE AND IS HEREBY ENTERED** in favor of plaintiff Pennsylvania Professional Liability Joint Underwriting Association (“the Association”) and against defendants Jospeh B. Scarnati, President Pro Tempore of the Senate, Jay Costa, Minority Leader of the Senate, Michael Turzai, Speaker of the House of Representatives, and Frank Dermody, Minority Leader of the House of Representative, (together “the legislative defendants”) and Tom Wolfe, Governor of the Commonwealth and Jessica K. Altman, Insurance Commissioner of Pennsylvania (together “the executive defendants”), as follows: It is ORDERED and DECLARED that Sections 3, 4 and 5 of Act 41 of 2018, P.L. 273, No. 41 (“Act 41”), are unconstitutional in violation of the Fifth and the Fourteenth Amendments to the United States Constitution, and enforcement thereof is hereby and permanently ENJOINED, in accordance with the Court’s memo and order (Docs. 59, 60) dated 12/18/18.

This action was (*check one*):

☐ tried by a jury with Judge or Magistrate Judge _____ presiding, and the jury has rendered a verdict.

☐ tried by Judge or Magistrate Judge _____ without a jury and the above decision

X decided by Judge or Magistrate Judge Chief Judge Christopher C. Conner

Upon motions for summary judgment

Date: Dec 18, 2018

CLERK OF COURT PETER WELSH, Acting Clerk of Court

K. McKinney

Signature of Clerk or Deputy Clerk